

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA DYLAN BROOKS,

Defendant.

CASE NO. CR18-224-RSM

ORDER

THIS COURT having considered the motion to continue trial date filed by the United States of America, requesting a continuance of the current trial date of June 29, and based on the facts set forth therein, and General Orders 01-20 and 08-20 of the United States District Court for the Western District of Washington re Extension of Court Operations Under the Exigent Circumstances Created by COVID-19 and Related Coronavirus, addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, and overruling any objection by the Defendant Joshua Dylan Brooks, the Court hereby FINDS that trial in this case cannot proceed on the currently scheduled date of June 29, 2020. For the reasons detailed in the government's motion, and given the findings of General Order 08-20, the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial.

1 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), (iv).

2 IT IS THEREFORE ORDERED that the government's request to continue the trial
3 date is GRANTED.

4 The trial date of June 29, 2020, is hereby VACATED.

5 Trial in this matter is now scheduled for October 26, 2020. Pretrial motions are due
6 by October 1, 2020.

7 IT IS FURTHER ORDERED that the time between the date of the filing of the
8 motion and the new trial date, is excluded in computing the time within which trial must
9 commence because the ends of justice served by granting this continuance outweigh the best
10 interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(7)(A). Failure
11 to grant this continuance would likely make trial impossible and result in a miscarriage of
12 justice, and would deny counsel for the defendant and government counsel the reasonable
13 time necessary for effective preparation, taking into account the exercise of due diligence. *Id.*
14 § 3161(h)(7)(B)(i), (iv).

15 Dated this 29th day of May, 2020.

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18 RICARDO S. MARTINEZ
19 UNITED STATES DISTRICT JUDGE

20 Presented by:

21 s/ Ye-Ting Woo
22 YE-TING WOO
23 Assistant United States Attorney

24 s/ Chantelle Dial
25 CHANTELLE DIAL
26 Assistant United States Attorney
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